

EXHIBIT D

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVE CONLEY, NANCY CONLEY,
Individually and NANCY CONLEY
as NEXT FRIEND OF J. C., a Minor

Plaintiffs

v.

Case No. 2:11-cv-11205
Hon. Sean F. Cox
Magistrate Judge R. Steven Whalen

MLT, INC., a Minnesota corporation,
DIAMOND HOTELS COZUMEL S.A.
de C.V., a foreign corporation, HOLIDAY
VILLAGE WHITE SANDS S.A., a foreign
corporation, OCCIDENTAL HOTELS
MANAGEMENT B.V., a foreign corporation,
OCCIDENTAL HOTELES MANAGEMENT,
S.L., a foreign corporation, and ALLEGRO
RESORTS MARKETING CORPORATION,
a Florida corporation

Defendants,

		/
LAW OFFICES OF BENNER & FORAN	EBONY L. DUFF (P65431)	
BRIAN J. BENNER (P25239)	Attorney for Defendant MLT, Inc	
NANCY SAVAGEAU (P56546)	1000 Woodbridge Street	
DAVID A. PRIEHS (P39606)	Detroit, MI 48207	
Attorneys for Plaintiffs	313-446-5543/313-259-0450(fax)	
28116 Orchard Lake Road		
Farmington Hills, MI 48334	WILLIAM J. CREMER	
248-737-5544/248-737-5545(fax)	JOSHUA D. YEAGER	
	CREMER, SPINA, SHAUGHNESSY,	
ANTHONY J. CALATI (P34994)	JANESEN & SIEGERT, LLC	
Attorney for Allegro Resorts Marketing	Counsel for Defendant Occidental Hotels	
333 W. Fort Street, Suite 1600	180 North LaSalle Street Suite 3300	
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		/

PLAINTIFFS INTERROGATORIES TO DEFENDANT,
ALLEGRO RESORTS MARKETING CORPORATION,
a Florida corporation

NOW COME the Plaintiffs herein, by and through their attorneys, Benner and Foran, and submits the following Interrogatories to the above defendant, Allegro Resorts Marketing Corporation, a Florida corporation.

PLEASE TAKE NOTICE that the following Interrogatories are directed to each of the above-captioned Defendant, under the provisions of FRCP 33 and the various subdivisions thereof, and defendant is separately required to answer said Interrogatories and to furnish such information as is available to you. The information available to you shall include all information discoverable within the possession or knowledge of your agents, employees, attorneys, investigators or the agents of same, and who are competent to testify as to the facts stated.

You are required to file Answers to the Interrogatories under oath and the answers shall be signed by you according to the provisions of FRCP 33(b)(2). Also, you are required to answer the Interrogatories under oath within thirty (30) days after service of them upon you.

Each of the Interrogatories shall be deemed to be continuing in nature so as to require that supplemental answers be filed if information is obtained in addition to, or if different from, that set forth in the original answers hereto, according to provisions of FRCP 26(e)

DEFINITIONS

For the purposes of these Interrogatories, the following definitions shall apply:

A. The term "documents" shall mean, without limitation, every writing or record of every type and description that is or has been in the possession, control or custody of each Defendant or of which it has knowledge, including, without limitations, files, correspondence, records, notes,

evaluations, memoranda, communications, pamphlets, publications, voice recordings, computer files, discs, cd-rom, and statistical compilations; every copy of such writing or record where the original is not in the possession, custody or control of each Defendant and every copy of such writing or record where such copy is not an identical copy of the original.

B. The term "Defendant" when used in these Interrogatories shall refer to, Defendant Allegro Resorts Marketing Corporation, a Florida corporation, named in the Complaint and also includes all agents, employees, associates and other representatives of and experts and/or consultants hired by or retained on behalf of each Defendant. The term "Defendants" shall refer to all Defendants named in the Complaint.

INTERROGATORIES

Defendant's Direct Business Contacts with the State of Michigan

1. For each of the calendar years 1990 through 2010, inclusive, state:
 - a. The number of customers who booked rooms in the defendant's resorts located in Mexico, Costa Rica, Aruba and the Dominican Republic.
 - b. The number of customers who booked rooms in the defendant's resorts located in Mexico, Costa Rica, Aruba and the Dominican Republic who made their purchase in the United States.
 - c. The number of customers who booked rooms in the defendant's resorts located in Mexico, Costa Rica, Aruba and the Dominican Republic who resided in the State of Michigan and/or made their purchase from the State of Michigan.
 - d. The defendant's total revenues from defendant's resorts located in Mexico, Costa Rica, Aruba and the Dominican Republic.

ANSWER:

2. Identify and describe all advertising/marketing activities directed to residents of the State of Michigan by or on behalf of MLT INC and/or Allegro Resorts Marketing Corporation during the period from Jan. 1, 1990 through the present. For each such activity state:

- a. The nature of the activity, i.e. mailings, television/radio, telephone solicitation, newspaper, magazine or other periodical, etc.
- b. The media outlet involved and the volume;
- c. The periods during which the activities took place;
- d. The content.

ANSWER:

3. Identify all contracts entered into by or on behalf of Allegro Resorts Marketing Corporation, a Florida corporation with persons and/or other entities residing and/or operating in the State of Michigan. For each state:

- a. The parties to the contract and date of execution;
- b. The subject and terms of the contract;
- c. The identity of the person presently having possession (name, address, employer and title)

ANSWER:

4. Identify all contracts entered into by or on behalf of Allegro Resorts Marketing Corporation, a Florida corporation with persons and/or other entities residing and/or operating in the State of Michigan. For each state:

- a. The parties to the contract and date of execution;
- b. The subject and terms of the contract;
- c. The identity of the person presently having possession (name, address, employer and title)

ANSWER:

5. Identify all contracts entered into by or on behalf of Allegro Resorts Marketing Corporation with persons and/or other entities residing and/or operating in the State of Michigan. For each state:

- a. The parties to the contract and date of execution;
- b. The subject and terms of the contract;
- c. The identity of the person presently having possession (name, address, employer and title)

ANSWER:

6. Identify all meetings conducted/attended by employees/representatives of the defendant within the State of Michigan. For each state:

- a. The date and purpose of the meeting;
- b. Identify the attendees;

ANSWER:

7. Identify all leasing/rental agreements for real property located in the State of Michigan entered into by or on behalf of the defendant.

ANSWER:

8. Has the defendant ever been registered or authorized to do business in Michigan and/or maintained a resident agent in the State of Michigan? If so, state:

- a. The nature of the registration/authorization;
- b. The periods of such registration/authorization.

ANSWER:

9. Has the defendant, either directly or through agents, ever offered goods for sale or services for use in Michigan. If so, state:

- a. Describe the goods and/or services offered;
- b. The periods during which such offers were made.

ANSWER:

10. Identify the number of travel agents located in the State of Michigan to whom the defendant has ever paid a commission or other fee. Also state:

- a. Identify the contracts or other agreements under the terms of which the commissions/fees were paid.
- b. The total amount of commissions/fees paid by or on behalf of the defendant during each of the calendar years from 1990 to 2010 inclusive.

ANSWER:

11. Has the defendant offered to travel agents the opportunity to register/enroll for any programs and/or services offered by or on behalf of the defendant? If so, for each service/program state:

- a. Describe the service/program and the periods it existed;
- b. Describe the necessary qualifications to be eligible for the service/program and the means of registration/enrollment;
- c. Describe the benefits available to registrants/enrollees;
- d. State the total number of registrants/enrollees and of those located in the State of Michigan.

ANSWER:

Relationship with Co-Defendants

12. Identify (name address, employer and title) of all persons who have been responsible for the day to day operation of the Allegro Cozumel resort (the resort which J.C. was injured on April 11, 2009) which during the period from Jan. 1, 1990 through the present.

ANSWER:

13. Describe defendant Allegro Resorts Marketing Corporation, a Florida corporation's involvement with the Allegro Cozumel resort (the resort which J.C. was injured on April 11, 2009) during the period from Jan. 1, 1990 through the present.

ANSWER:

14. Describe defendant, Allegro Resorts Marketing Corporation, a Florida corporation's involvement with the Allegro Cozumel resort (the resort which J.C. was injured on April 11, 2009) during the period from Jan. 1, 1990 through the present.

ANSWER:

15. Describe defendant Allegro Resorts Marketing Corp.'s involvement with the Allegro Cozumel resort (the resort which J.C. was injured on April 11, 2009) during the period from Jan. 1, 1990 through the present.

ANSWER:

16. Identify all contracts and other agreements, including operating agreements, which have been entered into between defendant Allegro Resort Marketing, Corp. providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

17. Identify all contracts and other agreements, including operating agreements, which have been entered into between defendant Allegro Resorts Marketing Corporation, a Florida corporation and defendant Diamond Hotels Cozumel S.A. providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

18. Identify all contracts and other agreements, including operating agreements, which have been entered into between defendant Allegro Resorts Marketing Corporation, a Florida corporation, and defendant Occidental Hoteles Management S.L., providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

19. Identify all contracts and other agreements which have been entered into between defendant Allegro Resorts Marketing Corporation, a Florida corporation and defendant, Occidental Hotels Management B.V., providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

20. Identify all contracts and other agreements which have been entered into between defendant Allegro Resorts Marketing Corporation, a Florida corporation, and Occidental Hoteles Management

S.L. and defendant Diamond Hotels Cozumel S.A. de C.V. providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

21. Identify all contracts and other agreements which have been entered into between defendant Allegro Resorts Marketing Corp. and defendant Diamond Hotels Cozumel S.A. de C.V. providing date of execution, title, signatories and person(s) presently having possession.

ANSWER:

22. Has Allegro Resorts Marketing Corporation, a Florida corporation its officers, shareholders or subsidiaries received any of revenue earned by defendant Allegro? If so, describe each disbursement, the amount and its calculation.

ANSWER:

23. Has Allegro Resorts Marketing Corporation, a Florida corporation its officers, shareholders or subsidiaries received any revenue earned by defendant Allegro? If so, describe each disbursement, the amount and its calculation.

ANSWER:

24. Has Allegro Resorts Marketing Corporation, a Florida corporation its officers, shareholders or subsidiaries received any revenue earned through the operation of the Allegro Cozumel resort at which J.C. was injured on April 11, 2009? If so, describe each disbursement, the amount and its calculation.

ANSWER:

25. Has Allegro Resorts Marketing Corporation, a Florida corporation, its officers, shareholders or subsidiaries received any revenue earned through the operation of the Allegro Cozumel resort at which J.C. was injured on April 11, 2009? If so, describe each disbursement, the amount and its calculation.

ANSWER:

26. Identify the sources of all operating capital for Allegro Resorts Marketing Corporation for the years 1990 through 2010 inclusive.

ANSWER:

Internet Marketing

27. Identify all web sites on which Allegro Resorts Marketing Corporation, a Florida corporation

properties have been advertised/marketed. For each state:

- a. The domain name and the owner/registrant of the domain name;
- b. The period of time the web site operated;
- c. The Occidental Hotels properties advertised/marketed;
- d. Identify the host for the web site (name, address)
- e. Identify the number of bookings made to Occidental resort properties in Mexico, the Dominican Republic, Costa Rica and Aruba through the web site annually for the period from Jan. 1, 1990 to Jan. 2011.
- f. Identify the number of bookings of customers located in the State of Michigan made to Occidental resort properties in Mexico, the Dominican Republic, Costa Rica and Aruba through the web site annually for the period from Jan. 1, 1990 to Jan. 2011.
- g. Provide the total value of bookings made to Occidental resort properties in Mexico, the Dominican Republic, Costa Rica and Aruba through the web site annually for the period from Jan. 1, 1990 to Jan. 2011.
- h. Provide the total value of bookings of customers located in the State of Michigan made to Occidental resort properties in Mexico, the Dominican Republic, Costa Rica and Aruba through the web site annually for the period from Jan. 1, 1990 to Jan. 2011.
- i. Whether the site was interactive to the extent that bookings could be made and payment received;
- j. Describe all agreements under the terms of which Occidental resorts were advertised/marketed on the web site.

ANSWER:

28. Identify all entities which have owned or had any interest in the domain name "Occidental Hotels.com". Also describe each entity's interest in the domain name and the period each interest was held.

ANSWER:

By /s/ David A. Priehs (P39606)
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Dated: November 10, 2011

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STEVE CONLEY, NANCY CONLEY,
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Plaintiffs

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PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS
REGARDING PLAINTIFFS INTERROGATORIES TO
DEFENDANT ALLEGRO RESORTS MARKETING
CORPORATION, a Florida corporation

TO: COUNSEL OF RECORD

NOW COME the plaintiffs by and through their attorneys, Benner and Foran, and request that the defendant, Allegro Resorts Marketing Corporation, a Florida corporation, according to the provisions of FRCP 33(b)(2) produce for inspection and copying the following information and documentation to the Law Offices of Benner and Foran, 28116 Orchard Lake Road, Farmington Hills, MI 48334, within thirty (30) days of service of this request upon you.

DEFINITIONS

1. The terms "documents" when used in this Request for Production shall mean, without limitation, every writing of record of every type and description that is or has been in the possession, control or custody of Allegro Resorts Marketing Corporation, a Florida corporation or of which Allegro Resorts Marketing Corporation, a Florida corporation has knowledge, including, without limitations, files, correspondence, records, evaluations, memoranda, communications, pamphlets, publications, voice recoding and statistical compilations; every copy of such writing or record where the original is not in possession, custody or control of defendant, Allegro Resorts Marketing Corporation, a Florida corporation and every copy of such writing or record where such copy is not an identical copy of the original.

2. The term "defendant" when used in this request for production shall refer to Allegro Resorts Marketing Corporation, a Florida corporation. And also include all agents, employees, associates and other representatives of and experts and/or consultants hired or retained on behalf of Allegro Resorts Marketing Corporation, a Florida corporation.

3. For each document produced, identify the request for production of documents in response to which it is produced and the answer to interrogatory in which it is identified.

DOCUMENTS REQUESTED

1. Any and all documents identified in response to Plaintiff's Interrogatories Directed to defendant, Allegro Resorts Marketing Corporation, a Florida corporation. For each document produced, identify the interrogatory and interrogatory subsection to which it corresponds.

By /s/ David A. Priehs (P39606)
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Dated: November 10, 2011

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Plaintiffs

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corporation, OCCIDENTAL HOTELS
MANAGEMENT B.V., a foreign corporation,
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S.L., a foreign corporation, and ALLEGRO
RESORTS MARKETING CORPORATION,
a Florida corporation

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JANESSEN & SIEGERT, LLC
Counsel for Defendant Occidental Hotels
180 North LaSalle Street Suite 3300
Chicago, IL 60601
312-726-3800

**NOTICE OF TAKING DEPOSITION DUCES TECUM OF ALLEGRO RESORTS
MARKETING CORPORATION'S EMPLOYEE(PERSON) MOST KNOWLEDGEABLE
REGARDING PAST AND PRESENT CONTRACTUAL AND OTHER BUSINESS
RELATIONSHIPS BETWEEN ALLEGRO RESORTS MARKETING CORPORATION
AND CO-DEFENDANTS MLT, INC., OCCIDENTAL HOTELS MANAGEMENT B.V.,
OCCIDENTAL HOTELES MANAGEMENT S.L. AND DIAMOND HOTELS
COZUMEL S.A. DE C.V.**

PLEASE TAKE NOTICE that pursuant to FRCP 30 (b)(6) the Deposition of Allegro Resorts Marketing Corporation's employee person most knowledgeable regarding past and present contractual and other business relationships between Allegro Resorts Marketing Corporation and co-defendants MLT, Inc., Occidental Hotels Management B.V., Occidental Hoteles Management S.L. and Diamond Hotels Cozumel S.A. de C.V. will be taken according to FRCP 30(b)(6) at a date and location to be determined at a later time. This deposition duces tecum will be used for all purposes allowable pursuant to the Federal Rules of Civil Procedure.

The witnesses shall produce at their depositions for inspection and copying:

1. All documents and other records, including those stored on electronic medium, which embody, describe and/or refer to past and/or present contracts and/or other agreements which have existed between Allegro Resorts Marketing Corp. and any of the co-defendants.
2. All documents and other records, including e-mails, text messages and other electronic records, which embody, describe and/or refer to communications between employees/agents of Allegro Resorts Marketing Corporation and any other entity which relate in any way to the injury of J. C. and/or the claims arising from that injury.

LAW OFFICES OF BENNER & FORAN

By:/s/David A. Priehs (P39606)
BRIAN J. BENNER (P25239)
DAVID A. PRIEHS (P39606)
Attorneys for Plaintiffs
28116 Orchard Lake Road
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248-737-5544

Dated: November 10, 2011

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JANESSEN & SIEGERT, LLC
Counsel for Defendant Occidental Hotels
180 North LaSalle Street Suite 3300
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**NOTICE OF TAKING DEPOSITION DUCES TECUM OF THE
EMPLOYEE OF ALLEGRO RESORTS MARKETING CORPORATION MOST
KNOWLEDGEABLE REGARDING PAST AND PRESENT MARKETING OF
OCCIDENTAL HOTELS AND RESORTS**

PLEASE TAKE NOTICE that pursuant to FRCP 30 (b)(6) the deposition of the employee of Allegro Resorts Marketing Corporation most knowledgeable regarding past and present marketing of Occidental Hotels and Resorts will be taken according to FRCP 30(b)(6) at a date and location to be determined at a later time. This deposition duces tecum will be used for all purposes allowable pursuant to the Federal Rules of Civil Procedure.

The witnesses shall produce at their depositions for inspection and copying:

1. All documents and other records, including those stored on electronic medium, which embody, describe and/or refer to past and/or present marketing of the Occidental Hotels and Resorts.
2. All documents and other records, including e-mails, text messages and other electronic records, which embody, describe and/or refer to communications between employees/agents of Allegro Resorts Marketing Corporation and any other entity which relate in any way to the injury of J. C. and/or the claims arising from that injury.

LAW OFFICES OF BENNER & FORAN

By: /s/ David A. Priehs (P39606)
BRIAN J. BENNER (P25239)
DAVID A. PRIEHS (P39606)
Attorneys for Plaintiffs
28116 Orchard Lake Road
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JANESEN & SIEGERT, LLC
Counsel for Defendant Occidental Hotels
180 North LaSalle Street Suite 3300
Chicago, IL 60601
312-726-3800

NOTICE OF TAKING DEPOSITION DUCES TECUM OF GREGORIA DE DIEGO

PLEASE TAKE NOTICE that pursuant to FRCP 30 (b)(6) the deposition of Gregoria De Diego will be taken according to FRCP 30(b)(6) at a date and location to be determined at a later time. This deposition duces tecum will be used for all purposes allowable pursuant to the Federal Rules of Civil Procedure.

The witnesses shall produce at their depositions for inspection and copying:

1. All documents and other records, including those stored on electronic medium, which embody, describe and/or refer to past and/or present marketing of the Occidental Hotels and Resorts.
2. All documents and other records, including e-mails, text messages and other electronic records, which embody, describe and/or refer to communications between employees/agents of Allegro Resorts Marketing Corporation and any other entity which relate in any way to the injury of J. C. and/or the claims arising from that injury.

LAW OFFICES OF BENNER & FORAN

By: /s/ David A. Priehs (P39606)
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NOTICE OF TAKING DEPOSITION DUCES TECUM OF JUAN GARNICA

PLEASE TAKE NOTICE that pursuant to FRCP 30 (b)(6) the deposition of Juan Garnica will be taken according to FRCP 30(b)(6) at a date and location to be determined at a later time. This deposition duces tecum will be used for all purposes allowable pursuant to the Federal Rules of Civil Procedure.

The witnesses shall produce at their depositions for inspection and copying:

1. All documents and other records, including those stored on electronic medium, which embody, describe and/or refer to past and/or present marketing of the Occidental Hotesl and Resorts.
2. All documents and other records, including e-mails, text messages and other electronic records, which embody, describe and/or refer to communications between employees/agents of Allegro Resorts Marketing Corporation and any other entity which relate in any way to the injury of J. C. and/or the claims arising from that injury.

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Dated: November 10, 2011